IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRI. WRIT PETITION NO. 803 OF 2005

Office Notes, Office Memoranda of :
of Coram, appearances, Court's orders : Court's or Judge's orders
and Registrar's orders. :

Mr. Rahul S. Kate for the petitioner.

Mr. S.R.Shinde, A.P.P. for the Resp. No.1 State.

Ms. Rutuja Ambekar for the Resp.No.2. Respondent No.2 present in Court.

CORAM: R.M.S. KHANDEPARKAR & P.V. KAKADE, JJ.

DATED: 19TH APRIL, 2005

P.C.:

1. Heard advocates for the parties as well as the learned A.P.P. Perused the affidavit filed by the original complainant. It is apparent that the original complaint was filed on misunderstanding and parties have now arrived at an amicable settlement. However, on account of the fact that the offence is not compoundable without permission of the Court, the present petition has been filed for quashing the F.I.R. In view of the fact that the complaint was filed under wrong impression and due to some misunderstanding on the part of the complainant and the said

misunderstanding has been cleared and those facts have been confirmed in the affidavit filed by the complainant as well as in the oral statement before this Court today, we are satisfied that this is a fit case for directing the quashing of the complaint dated 13.9.2004 which was registered under C.R. No. 200 of 2004 at Colaba Police Station. Accordingly, the petition is allowed in terms of prayer clause (b) and stands disposed of accordingly.

(R.M.S. Khandeparkar, J.)

(P.V. Kakade, J.)